1	RESTRICTIONS ON PASSENGERS IN		
2	PICKUP TRUCKS		
3	2003 GENERAL SESSION		
4	STATE OF UTAH		
5	Sponsor: Curtis S. Bramble		
6	This act modifies Motor Vehicles Code by prohibiting a passenger under the age of 18		
7	from riding in the back of a pickup truck and providing enforcement of this provision		
8	only as a secondary action. This act adds exceptions for riding in a camper and for a		
9	passenger engaged in an agricultural operation. This act makes technical changes.		
10	This act affects sections of Utah Code Annotated 1953 as follows:		
11	AMENDS:		
12	41-6-108 , Utah Code Annotated 1953		
13	ENACTS:		
14	41-6-108.5 , Utah Code Annotated 1953		
15	Be it enacted by the Legislature of the state of Utah:		
16	Section 1. Section 41-6-108 is amended to read:		
17	41-6-108. Definitions Prohibition for passengers riding on improper portion of		
18	motor vehicle Exceptions.		
19	[No] (1) A person [shall] may not ride, and [no] a person driving a motor vehicle		
20	[shall] may not knowingly permit any person to ride, upon any portion of any vehicle not		
21	designed or intended for the use of passengers. [This provision shall]		
22	(2) Subsection (1) does not apply to:		
23	(a) any vehicle that is not being driven [elsewhere than upon] on a highway [or to];		
24	(b) an employee engaged in the necessary discharge of his duty [or to persons];		
25	(c) a person engaged in an agricultural operation; or		
26	(d) a person who is riding within or upon any motor vehicle in space intended for any		
27	load on [said] the vehicle.		



28	Section 2. Section 41-6-108.5 is enacted to read:
29	41-6-108.5. Passengers in the back of pickup trucks Secondary enforcement.
30	(1) As used in this section:
31	(a) "camper" has the same meaning as provided in Section 41-1a-102; and
32	(b) "pickup truck" has the same meaning as provided in Section 41-1a-102.
33	(2) Notwithstanding the provisions of Section 41-6-108:
34	(a) a person driving a pickup truck may not knowingly permit a person under 16 years
35	of age to ride in the back of the pickup truck; or
36	(b) a passenger who is at least 16 years of age but less than 18 years of age may not
37	ride in the back of a pickup truck.
38	(3) Subsection (2) does not apply to a person:
39	(a) riding in a camper; or
40	(b) engaged in an agricultural operation.
41	(4) (a) If more than one person is in violation under Subsection (2)(a), it is only one
42	offense and the driver may receive only one citation.
43	(b) Each person in violation under Subsection (2)(b) is a separate offense and each
44	person may receive a citation.
45	(5) A state or local law enforcement officer shall enforce Subsection (2) only as a
46	secondary action when the vehicle has been detained:
47	(a) for a suspected violation by any person in the vehicle of Title 41, Motor Vehicles,
48	other than this section; or
49	(b) for another offense.

Legislative Review Note as of 12-6-02 3:25 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal No	te
Rill Number	SB0125

Restrictions on Passengers in Pickup Trucks

28-Jan-03 4:57 PM

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst